IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.583 (M/B) of 2006

M/s Kumaon Mandal Vikas Nigam.
Oak Park Mallital, Nainital through its General Manager
... Petitioner

Vs

1. The State of Uttaranchal through Secretary, Mines & Mineral, Secretariat, Dehradun
2. District Magistrate, Champawat

...Respondents

Sri Gopal Narain, Advocate, learned counsel for the petitioner.
Sri B.S. Negi, Advocate, learned counsel for the respondents
Ld. Standing counsel for the State

Dated: - August 02, 2006

Coram: Hon'ble P.C.Verma,J
Hon'ble B.S. Verma,J

By means of this writ petition, the petitioner has raised a grievance that without any reason and without giving any show cause notice, the District Magistrate has stopped the mining operation of the petitioner at the behest of some political executives and hence a writ of certiorari is sought for quashing the order dated 6.5.2006 issued by District Matistrate, Champawat.

2. The mining operation could not have been stopped by the District Magistrate without giving any opportunity to the petitioner as provided under Rule 60 of U.P. Mines & Minerals Concession Rules.

3. Since the dispute as comes out from the writ petition is between the State Government and the instrumentality of the State i.e. Kumaon Mandal Vikas

Nigam, therefore, we appoint a Committee headed by the Chief Secretary. The Principal Secretary (Finance) and Additional Chief Secretary shall be the members of the Committee. The Committee shall take up the matter and scrutinze the facts and pass the order resolving the dispute between the State and its instrumentality. The decision in the matter shall be taken within $1^{1/2}$ Months from the date of production of certified copy of this order.

4. With the aforesaid observation, the writ petition is disposed of finally.

(B.S. Verma, J.) **(P.C. Verma, J.)**

Rajeev Dang